

DISCLAIMER: In accordance with the *Community Safety and Policing Act* and the *Freedom of Information and Protection of Privacy Act*, the summary below has been de-identified to remove the personal information of individuals, including public complainants and persons who were the subject of the investigation.

DE-IDENTIFIED SUMMARY UNDER SECTION 167(2) OF THE CSPA

Original Police Service:

Date of Complaint: 02/16/2025

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

On February 14th, 2025, a large multiple alarm fire erupted in an apartment building located at [REDACTED] [REDACTED]. The Complainant attended the scene to document the people involved, including Emergency Services.

The Complainant alleged while recording he was assaulted and followed by an individual.

The Complainant further alleged the Respondent Officer told him he would be arrested and was forcefully removed from the scene. The Complainant stated he has PTSD after the interaction and was unable to attend church after the interaction.

Unsubstantiated Code of Conduct Allegations

Conduct Undermines Public Trust

Unnecessary Use of Force

Neglect of Duty

Decision and Reasons

Allegation #1

Interactions with the Public

Section 10(1) Conduct Undermines Public Trust

A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.

- It is alleged that the Respondent Officer accused the Complainant of harassing people and was told he would be arrested if he returned.

Respondent Officer (RO)

Finding: This investigation has revealed the officer was in the lawful performance of his duties and acted in accordance with all governing authorities. The Complainant was harassing individuals devastated by a critical apartment building fire. The Complainant was lawfully removed from the area and caution.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Therefore, the allegation is unsubstantiated.

Allegation #2

Interactions with the Public

Section 11(1) - Unnecessary or excessive use of force

A police officer shall not use force unless,

- (a) the force is used for the purpose of carrying out a duty.
- (b) the officer is entitled, by statute or common law, to use force for the purpose of carrying out that duty.
- (c) the officer is acting on reasonable grounds; and
- (d) the force used is no more than is necessary given the circumstances.

- It is alleged that the Respondent Officer used unnecessary force against the Complainant.

Respondent Officer (RO)

Finding: This investigation has revealed the officer was in the lawful performance of his duties and acted in accordance with all governing authorities. The RO used force that was minimal necessary. The RO escorted the Complainant in a controlled manner away from the scene.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Therefore, the allegation is unsubstantiated.

Allegation #3

Performance of Duties

Section 19- Neglect of Duty

A police officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

- It is alleged that the Respondent Officer told the Complainant he was under arrest when allegedly the Complainant was assaulted by other individuals.

Respondent Officer (RO)

Finding: This investigation has revealed the officer was in the lawful performance of his duties and acted in accordance with all governing authorities. The RO did not witness an assault on the Complainant nor was there an Assault captured on video. The Complainant overstepped the boundaries and invaded the privacy of others during a difficult time.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Therefore, the allegation is unsubstantiated.